REMARKS

Initially, Applicant notes that the remarks and amendments made by this paper are consistent with those presented to the Examiner during the telephone call of May 8, 2008.

By this paper, claim 16 has been amended, claim 26 has been canceled, and no claims have been added, such that claims 1-25, 27, and 30-31 remain pending, of which claims 1, 12, 14, 16, and 27 are the only independent claims at issue.

The Office Action, mailed March 14, 2008, considered and rejected claims1-27 and 30-31. Claims 1, 3, 8-11, 16, 18, and 23-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya (U.S. Patent No. 5,353,283) in view of Jackson et al. (U.S. Patent No. 6,826,275). Claims 2, 6, 7, 17, 21, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya and Jackson, and further in view of Burbeck et al. (U.S. Patent No. 7,181,536). Claims 4 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya and Jackson, and further in view of Waclawsky et al. (U.S. Patent No. 5,493,689). Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya and Waclawsky in view of Jackson. Claims 14, 15 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya in view of Krishnamurthy et al. (U.S. Patent No. 6,910,024). Claims 5 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya, Jackson and Burbeck, and further in view of Owen et al. (U.S. Patent No. 6,950,438). Claims 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya and Krishnamurthy, and further in view of Burbeck et al. (U. S. Patent No. 7,181,536).[1]

As reflected above, the present claims are directed to custom routing of messages between computers over one or more routers. For example, claim 1 recites a method of routing a message from a sending computer system to a receiving computer system such that a routing path for the message can be changed before the message reaches the receiving computer system. In the method of claim 1, a router receives a message that originates at the sending computing system and that needs to be delivered to the receiving computer system. The message contains at least three discrete portions comprising a router list portion identifying one or more routers, a destination identifier portion, and a message content portion. The router then accesses routing

[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

rules specifying how the message should be routed to the receiving computing system. At least a portion of one of the three discreet portions of the message is then compared to the routing rules to determine whether the router list portion of the message should be reconfigured by adding or removing routers form the router list portion of the message. The router then removes its identifier from the router list portion of the message and the message is forwarded to the router at the top of the router list portion of the message.

The remaining independent claims are closely related to claim 1. Independent claim 16, for example, recites elements similar to claim 1, but as a computer program product rather than a method and includes narrower claim language in some regards. Independent claim 12 recites many of the limitations of claim 1, but replaces two acts with a step. Independent claim 14 is directed to routing the message from the perspective of the sending computing system, rather than a router. Independent claim 14 removes the limitation of the router removing itself from the routing lists and contains an additional limitation of having content logic rules. Finally, independent claim 27 recites limitation similar to claim 14, but as a computer program product.

As also noted above, the Office cites Tsuchiya in combination with Jackson to reject independent claims 1, 12, and 16. Tsuchiya discloses a method for transmitting a packet via a sequence of nodes in a network. The packet contains a sequence of node identifiers and a pointer pointing to a particular node identifier. The node selects a forwarding table from a set maintained at the node. An entry in the table is referenced based on the identifier pointed to by the pointer. The packet is then transmitted to the next node indicated by the retrieved forwarding table entry.

Jackson is cited a compensating for Tsuchiya's failure to disclose the router adding or removing a router from the router list portion of the message and an act of removing the router from the router list portion of the message before routing the message. Jackson is directed to embodiments for controlling call features in a telephone network. The portion of Jackson specifically relied upon by the Office discloses a call being routed through a "router". The router removes the destination from the routing list and routes the call to the destination. The destination then sends the message to the next call feature through the router and the router once again removes the destination before routing the message. This process is repeated until no more destinations remain.

As previously presented to the Examiner, Applicant respectfully submits that Jackson fails to compensate for the deficiencies of Tsuchiya. In the Office Action, the Examiner states that Jackson's disclosing "removing the head entry from the router list once the call is received at the switch and keeps removing the head entry until the call is routed to a proper destination" teaches the limitations of an act of comparing at least a portion of one or more of the three discrete portions of the message to the routing rules to determine whether the router list portion should be reconfigured, wherein the router adds or deletes one or more routers in the router list portion as appropriate and an act of removing the router from the router list portion prior to sending the message so that a subsequent router becomes a top most router in the router list portion. Applicant respectfully disagrees for at least the reason that the router of Jackson does not remove itself as a router, as claimed. Instead, Jackson teaches that the router removes the head entry and requests the switch to connect the call to the box specified in that entry.

The router of Jackson is removing the head entry, not the entry for the router itself, because the router is not included in as the head entry in the routing list. As an example, if Jackson taught 3 routers, A, B, and C, then when router A received the message the routing list would read BC. Then, router A would delete B and send the message to B. B would receive a message with a routing list of C. B would then delete C and send the message to C, at which point no more routing entries would exist. In contrast, in the current invention, the routing list would read ABC when A received the message. Assuming no changes to the routing list as a result of the routing rules, A would remove A from the list and send the message to B with a routing list of BC. B would then remove B from the list leaving only C and send the message to C. At the point when C receives the message, the routing list would read C, as opposed to the embodiment of Jackson where the routing list is empty.

Furthermore, as previously noted, the routing list of Jackson only identifies call features, not routers. As disclosed on page 4, lines 20-30, of Jackson, features are treated as individual boxes through which calls are routed. When the router requests that the switch connect to a feature, the feature receives that call. The feature then places a second call back to the switch and the router modifies the routing list. In each instance, the routing list is a list of call features, and does not identify any routers. If each feature is considered a router, then the features never modify the routing list, only the actual router does. Since only the actual router modifies the

routing list and only the features are specified on the list, it is not possible to suggest that Jackson teaches a router removing itself from the list.

Independent claims 14 and 27 were rejected by Tsuchiya in view of Krishnamurthy. Krishnamurthy is cited by the Office Action to compensate for Tsuchiya's failing to teach a cached router list. However, Applicant respectfully submits that the combination of Tsuchiya and Krishnamurthy fail to teach at least the limitation of referencing content logic stored at the sending computer system, wherein the content logic describes routing rules based on the discrete content portion of the message. The Office Action cites Tsuchiya as teaching this limitation, however, as previously submitted and as reflected below, Applicant asserts that Tsuchiya fails to teach or reasonably support at least this element.

The claimed messages require at least three discrete portions comprising a final destination, a routing list, and message content. Additionally, the claims recite that the message content portion is independent from the routing portion. Therefore, accessing the message content portion of the message does not contain the RC field as suggested in the Office Action. The RC field is not independent of the routing portion of the message, as it details what level of routing the message is in.

Independent claim 16 further clarifies the distinction of the message content portion of the message. In independent claim 16, the message content portion of the message is clearly defined as consisting of the information being sent from the sending computer system to the receiving computer system. The RC cannot be a part of this the information being sent because it is changed by the routers and therefore is not a part of the information being sent. Anything additional to information being sent to the receiving computer cannot be read as being a part of the message content.

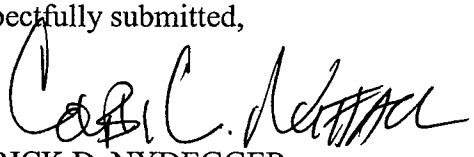
In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner

provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 13th day of June, 2008.

Respectfully submitted,



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